

REMARKS

Claims 1-27 were previously canceled.

Claims 28 and 36 are amended herein.

Claim 52 is added as a new claim. Support is found, for example, in claim 36.

No new matter is presented.

I. Response to Claim Rejections - 35 U.S.C. § 112

Claims 28-51 are rejected under 35 U.S.C. § 112, 2nd paragraph as allegedly being indefinite.

Claim 28 is rejected because the Examiner considers that the expression "acid fermented flour" is not clear.

Claim 28 has now been amended to recite that acid fermented flour is obtained by drying a fermented flour using lactic bacteria, thereby obviating this aspect of the rejection. Support for this amendment can be found on page 1, lines 19-31 of the application.

Claim 36 is rejected as reciting a broad range and narrow range in the same claim.

Claim 36 is amended by deleting the recitation of the phrase "preferably to the *Saccharomyces cerevisiae* species", thereby obviating this aspect of the rejection.

Claim 45 is rejected as being indefinite. The Examiner states that it is not clear what is considered as the invention.

Claim 45 is dependent upon claim 44, which is directed to process for the preparation of a bakery dough with ingredients comprising at least non-fermented flour, water, baker's yeast and the dry flavour enhancing agent according to claim 28. Claim 45 gives some precisions

about the proportions of the dough ingredients. In particular, claim 45 specifies that the weight percentage of all dry matters of the acid fermented flour and the yeast extract, to the non-fermented flour, is between 0.8 to 2.5%.

The present inventors have discovered that when acid flour is used in combination with yeast extract, the resulting dough, leads to bread with interesting organoleptic properties and reduced salt content (page 3, lines 8-11). This is the result of a synergistic interaction between the acid flour, which usually gives an acid taste to the bread, and the yeast extract, which is responsible usually for a toasted flavor. In the present case, the present inventors have found that such a synergistic interaction is in particular achieved when the weight ratio of all dry matters of the acid fermented flour and of the yeast extract to the dry matters of the non fermented flour is between 0.8 to 2.5%.

The invention of claim 45 is thus a specific ratio of the ingredients which are used in the process of claim 44 for making a bakery dough. It is respectfully submitted that claim 45 is clear to the person of skills in the art.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112.

II. Response to Claim Rejections — 35 U.S.C. 103

Claims 28-51 are rejected under 35 U.S.C. § 103 as allegedly being obvious in view of Gelinas et al (US 5,108,766) and Akatsuka et al (US 4,093,748).

The Examiner alleges that Gelinas et al teaches the use of lactic bacteria in flour in order to give an acid taste to the said flour, and that Akatsuka et al teaches the use of a yeast extract

without any salt addition in a flour. According to the Examiner, it would have been obvious for the skilled person to obtain the claimed invention by combining the teachings of Gelinas et al and Akatasuka et al.

Applicants traverse the rejection.

Gelinaas et al describes a process for enhancing the taste and flavor of the bread. This process comprises a step of preparation of a taste-enhancing mixture comprising lactic bacteria and, optionally, flour (col. 2, lines 34-41; col. 3, lines 46-48).

However, this process is primarily for the preparation of sourdough breads and bagels, i.e., bakery products for which an acid taste is sought (col. 1; col. 2 lines 26-28). Gelinas et al does not suggest that other bakery products could be obtained with acid flour. On the other hand, the experimental examples of the present application demonstrate that the present invention can be used to prepare baguettes.

Gelinas et al does not suggest either that it would be possible to reduce the amount of salt in breads. Actually, Gelinas et al does not even mention that it would be desirable to reduce the salt content of breads. Gelinas et al neither mentions that the taste-enhancing mixture must be dry.

Akatsuka et al does not cure the deficiencies of Gelinas et al. Akatsuka et al describes a process for preparing bread, which comprises a step of preparing a mixture of a yeast extract, a hydrolized egg white, and wheat flour. This step is useful for reducing the time of preparation of the bread and for improving the qualities of the bread (col. 1, lines 4-10, lines 21-26).

According to Akatsuka et al, the hydrolized egg white is necessary for the process of Akatsuka et al (col. 2, lines 14-17). According to Akatsuka et al, it is the combination of the hydrolized egg white and the yeast extract which results in an improved taste. However, the present invention does not require an hydrolized egg white. There is nothing in Akatsuka et al which would encourage the skilled person to substitute the hydrolized egg white by another component, such as, more specifically, fermented acid flour. Thus, one of ordinary skill in the art would not have been motivated to modify or combine the references as suggested by the Examiner with a reasonable expectation of success in achieving the claimed invention. For at least this reason, the present invention is patentable over the cited references.

In addition, Applicant notes that the process of Akatsuka et al leads to a bakery dough, not a flavour enhancing agent. The yeast extract is added directly to the flour of Akatsuka et al just before fermentation (see the experimental example of Akatsuka et al). Akatsuka et al does not teach the desirability, or even that it could be simply possible, to add the yeast extract to a composition, which would itself, but only subsequently, be added to the flour for the fermentation step. In any case, even if it was considered that the hydrolized egg white/yeast extract mixture was a flavour enhancing agent (which Applicants dispute), Akatsuka et al still does not disclose the dryness of the said agent.

Finally, and contrary to the Examiner's allegations, Akatsuka et al discloses a salt content above to 1.8 %. Table 1 of Akatsuka et al indicates that the composition of Akatsuka et al contains 2.0 % of salt. On the other hand, Akatsuka et al is silent on the question of an

enhancement of the salty taste. In fact all the compositions of Akatsuka et al comprise exactly the same amount of salt, the only variable being the ratio of hydrolysed egg white/yeast extract.

There is no reason for the skilled person to add the yeast extract of Akatsuka et al, which is added extemporaneously to the dough, to the taste-enhancing mixture of Gelinas et al which is prepared in advance and stored. Even if one of ordinary skill in the art the agent of the invention, since neither Gelinas et al nor Akatsuka et al mentions that the said agent is dry. Neither Gelinas et al nor Akatsuka et al report an enhancement of the salty taste either. Actually, none of them is concerned with the problem of the reduction of the salt content. For these additional reasons, the present invention is patentable over the cited references

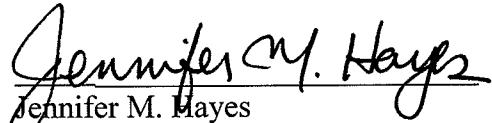
In view of the above, the present invention is not rendered obvious by the cited references whether taken alone or in combination. Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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